

REMARKS/ARGUMENTS

The presently claimed pressure sensitive adhesive involves an aqueous dispersion of a polymer where the dispersion contains, in addition to the polymer, a silicon compound where the silicon compound is in the form of discrete particles having a weight-average diameter of from 5 to 200 nanometers.

There is a desire for Pressure Sensitive Adhesives (PSAs) to have both high tack (adhesion) and high cohesion which is a measure of internal cohesiveness in the adhesive layer. However, efforts to date have led to a trade off between these two properties such that one property may be improved at the expense of the other property. In order to overcome this deficiency in existing PSA technology, Applicants have developed the presently claimed PSA. The claimed PSA has the benefit of not sacrificing one property over the other and, as a result, Applicants have developed a PSA with both high tack and high cohesion. This improvement has occurred, in part, through the use of silicon compounds with the claimed weight-average diameter of from 5-200 nanometers. The cited references do not teach or suggest this claim limitation.

The rejection of Claims 1, 2, 6-9 and 14 under 35 U.S.C. § 102(b) over Erwin (U.S. 3,314,838) is respectfully traversed.

Erwin describes a PSA containing hollow spheroidal particles. As the Examiner notes on page 2 of the Office Action, the particles range in particle size from 20-500 μm . This described particle size converts to 20,000 to 500,000 nanometers which is more than two orders of magnitude greater than the presently claimed particle size range of from 5 to 200 nanometers. Because Erwin does not teach or suggest all the claim limitations of the presently claimed PSA, the claimed PSA would not have been anticipated or obvious over Erwin. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection over Erwin.

The rejection of Claims 1, 3-8, 10-12 and 14 under 35 U.S.C. § 102(b) over Kishioka (U.S. 2001/0021452) has been obviated by amendment.

As the Examiner will note, Claim 1 has been amended to include the limitations of Claim 9. Accordingly, the rejection is no longer tenable and Applicants respectfully request that the Examiner withdraw the rejection over Kishioka.

In addition, Applicants note that the reference marked as the English translation of DE 10208843 in the IDS filed on May 17, 2004 erroneously included the English translation of the present application and not the correct English translation of DE 10208843.

Applicants have submitted a new IDS with this paper that includes the correct English translation of DE 10208843. Applicants apologize for this error and request that the Examiner enter and consider the correct document and initialize a copy of the new IDS for Applicants' records.

Finally, Applicants have included a certified English translation of the priority document of the present application (Germany 10323048.3). Applicants respectfully request that the Examiner acknowledge the priority of the present application noting the priority date of May 20, 2003.

In light of the above remarks contained herein, Applicants respectfully submit that the present application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

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